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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BENCHMARK CAPITAL HOLDINGS CO.,
LLC,

No. C 11-04883 RS

Plaintiff,

v.

**CASE MANAGEMENT
SCHEDULING ORDER**

THE BENCHMARK CO., LLC,

Defendant.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on January 19, 2012. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

MEDIATION. This matter is referred to mediation to be completed within 90 days of the issuance of this order. The parties shall promptly notify the Court whether the case is resolved at the conference.

2. DISCOVERY.

On or before January 24, 2013, all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party, excluding third parties and document custodians; (b) thirty-five (35) interrogatories per party, including all discrete subparts; (c) a reasonable number of requests for production of documents or for inspection per party; and (d) a reasonable number of requests for admission per party.

6 3. EXPERT WITNESSES. The disclosure and discovery of expert witness opinions
7 shall proceed as follows:

8 A. On or before February 5, 2013, plaintiff shall disclose expert testimony and reports in
9 accordance with Federal Rule of Civil Procedure 26(a)(2).

10 B. On or before February 19, 2013, defendant shall disclose expert testimony and reports in
11 accordance with Federal Rule of Civil Procedure 26(a)(2).

12 C. On or before March 29, 2013, all discovery of expert witnesses pursuant to Federal Rule
13 of Civil Procedure 26(b)(4) shall be completed.

14 4. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case Management
15 Conference shall be held on **November 15, 2012 at 10:00 a.m.** in Courtroom 3, 17th Floor, United
16 States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a
17 Joint Case Management Statement at least one week prior to the Conference.

18 5. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant to
19 Civil Local Rule 7. All pretrial motions shall be heard no later than May 16, 2013.

20 6. PRETRIAL STATEMENTS. At a time convenient to both, counsel shall meet and
21 confer to discuss preparation of a joint pretrial statement, and on or before June 13, 2013 counsel
22 shall file a Joint Pretrial Statement.

23 7. PRETRIAL CONFERENCE. The final pretrial conference will be held on **June 27,**
24 **2013 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
25 Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend
26 personally.

1 8. TRIAL DATE. Trial shall commence on **July 22, 2013 at 9:00 a.m.**, in Courtroom
2 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.
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5 IT IS SO ORDERED.
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DATED: 1/23/12
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RICHARD SEEBORG
United States District Judge